

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

GREAT NOTIONS, INC.,                         )  
  )  
Plaintiff,    )  
  )  
vs.    )      Case No. 4:06CV959 RWS  
  )  
JANET EBERT,                                      )  
  )  
Defendant.   )

**MEMORANDUM AND ORDER**

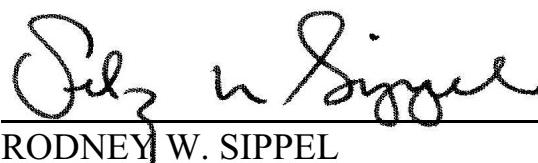
The Court has been notified that plaintiffs refuse to settle this matter despite defendants' cessation of all activities alleged in the complaint. For this reason, I see no need to hold the telephone status conference this Friday. Instead, I will reset a Rule 16 conference for **December 20, 2006 at 3:00 p.m. in the chambers of the undersigned.** To the extent any deadlines proposed by the parties in the previously-filed joint proposed scheduling plan have lapsed, the parties should submit a revised joint proposed plan by no later than December 18, 2006. **The plan must include a proposed date for early mediation of this case because it will be referred to alternative dispute resolution.** Finally, although plaintiffs' counsel attended the first conference by telephone, I normally require all lawyers to attend scheduling conferences and hearings in person and will enforce this requirement in this case.

Accordingly,

**IT IS HEREBY ORDERED** that the telephone status conference set for December 8, 2006 at 10:30 a.m. is cancelled.

**IT IS FURTHER ORDERED** that the Court will hold a Rule 16 conference in this matter on December 20, 2006 at 3:00 p.m. in the chambers of the undersigned. All counsel must appear in person for the conference.

**IT IS FURTHER ORDERED** that the parties shall file a revised joint proposed scheduling plan, if applicable, by December 18, 2006.

  
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RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 6th day of December, 2006.